

West Virginia Department of Environmental Protection

Division of Air Quality

Joe Manchin, III
Governor

Stephanie R. Timmermeyer
Cabinet Secretary

Permit to Operate



Pursuant to

Title V

of the Clean Air Act

Issued to:

Luke Paper Company

Luke Paper Company West Virginia Operations

R30-05700008-2007

John A. Benedict

Director

Issued: August 27, 2007 • Effective: September 10, 2007
Expiration: August 27, 2012 • Renewal Application Due: February 27, 2012

Permit Number: **R30-05700008-2007**
Permittee: **Luke Paper Company**
Facility Name: **Luke Paper Company West Virginia Operations**
Mailing Address: **300 Pratt Street**
Luke, MD 21540

This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45CSR30 — Requirements for Operating Permits. The permittee identified at the above-referenced facility is authorized to operate the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.

Facility Location:	Beryl, Mineral County, West Virginia
Mailing Address:	300 Pratt Street Luke, MD 21540
Telephone Number:	(301) 359-3311
Type of Business Entity:	Corporation
Facility Description:	Lime kiln, woodyard, roll finishing, and receiving warehouse which supply supporting operations for pulp and paper mill.
SIC Codes:	2621; 3274
UTM Coordinates:	667.00 Easting • 4371.00 Northing • Zone 17

Permit Writer: Mike Egnor

Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [§§ 22B-1-1 et seq.], Chapter 22B of the Code of West Virginia. West Virginia Code §22-5-14.

Issuance of this Title V Operating Permit does not supersede or invalidate any existing permits under 45CSR13, 14 or 19, although all applicable requirements from such permits governing the facility's operation and compliance have been incorporated into the Title V Operating Permit.

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1.0 Emission Units and Active R13, R14, and R19 Permits

1.1. Emission Units

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
001 (1S)	001 (1E)	Rotary Lime Kiln - Production of Lime	1966	103,083	Kiln Venturi Scrubber Kiln SO2
003	003	Storage Pile Chip Unloading - Wood chip truck unloading operation	1985	132 TPH	N/A
004	004	Screen House Chip Unloading - operation	1960	150 TPH	N/A
005	005	Log truck unloading operation	1960	300 TPH	N/A
006	006	Rail car unloading operation	1960	300 TPH	N/A
007	007	Loading Areas - Sawdust waste cleanup and loaded at various areas	1960	16 TPH	N/A
008	008	Woodyard Roads - Roadways used for raw material transfers and access	1985	5.65 vehicle miles	N/A
009	009	Scrap Wood Unloading - Scrap wood is unloaded in pile for employee use	1960	16 TPH	N/A
010	010	Wood Chip Storage - Storage pile for wood chips	1985	550 TPH	N/A
011	011	Roundwood Storage - Log storage	1960	500 TPH	N/A
012	012	Bark storage	1960	84 TPH	N/A
013	013	Slasher Deck - Saws logs to 4 ft.	1985	460 TPH	N/A
014	014	Log Moving Conveyors - Moves logs through process	1985	600 TPH	N/A
015	015	Debarking Drums - Log debarking operation	1985	600 TPH	N/A
016	016	Bark Moving Conveyors - Transporting bark through process	1985	84 TPH	N/A
017	017	Bark Loading Building - Bark and sawdust loaded into trucks	1985	84 TPH	N/A
018	018	Chipper - Wood chipping operation	1985	370 TPH	Chipper Cyclone

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
019	019	Chip Moving Conveyors - Moving chips through process	1985	550 TPH	N/A
020	020	Radial Arm Stacker - Transfers wood chips to storage pile	1985	150 TPH	N/A
021	021	Linear Stacker - Transfers wood chips to storage pile	1985	550 TPH	N/A
022	022	Scalper - Separates chips from reject knots and shives	1985	600 TPH	N/A
023	023	Screen House - Wood chip screening operation	1960	300 TPH	Screening Fabric Filter
024	024	Sawdust Building - Building for transfer chute for sawdust collection	1985	10 TPH	Sawdust Building Cyclone
025	025	Sawdust Loading - Secondary sawdust loading station	1960	10 TPH	Sawdust Loading Cyclones
026	026	Rechipper - Rechipping of oversized chips	1960	12 TPH	Rechipper Cyclone
031	031	Lime Slaker #16 - Slaking of lime w/t green liquor	1966	16.25 TPH	No. 16 Slaker Scrubber
036	036	#6 Lime Slaker - Slaking of lime w/t water	1966	16.25 TPH	No. 6 Slaker Scrubber
045	045	#16 Slaker Feeder - Feeder system for lime slaker	1966	20 TPH	No. 16 Slaker Feeder Enclosure
046	046	#6 Slaker Feeder - Feed system for lime slaker	1966	3 TPH	No. 6 Slaker Feeder Enclosure
047	047	Limestone Unloading	1966	50 TPH	Limestone Unloading Enclosure
048	048	Pebble lime unloading	1966	20 TPH	Pebble Line Unloading Enclosure
050 (4S)	050 (4E)	Access Roads - Roads used to haul waste fly ash, etc.	1966	4.25 veh-mi	N/A
051	051	Fly Ash Handling - Boiler fly ash handling system	1966	60 TPH	N/A
055	055	Paved Roads - Paved access roads to receiving warehouse	1966	2.4 veh-mi	N/A

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
057	057	Bark Unloading - Unloading of bark onto storage pile	1966	84 TPH	N/A
2S	2E	Silo Bin Vent	2008	16 tons/hr	2C
3S	3E	Densi-Filter Exhaust	2008	2.67 tons/hr	3C
4S	4E	Unpaved Haulroads	2008	993 trips/yr	N/A
Control Devices					
001 <u>(1S)</u>	001 <u>(1E)</u>	Kiln Venturi Scrubber - Control particulate emissions from operation of lime kiln	1966 mod 1982	60,000 ft ³ /min	N/A
001	001	Kiln SO ₂ - Inherent control of SO ₂ by lime absorption	1966	60,000 ft ³ /min	N/A
018	018	Chipper Cyclone - Control particulate emissions from wood chipping operation	1985	75,000 ft ³ /min	N/A
023	023	Screening Fabric Filter - Control particulate emissions from screening and rechipping of wood chips	1966	80,000 ft ³ /min	N/A
024	024	Sawdust Building Cyclone - Control particulate emissions from collection of sawdust	1985	8,436 ft ³ /min	N/A
025	025	Sawdust Loading Cyclone - Control particulate emissions from loading sawdust into trucks	1985	N/A	N/A
026	026	Rechipper Cyclone - Control particulate emissions from rechipping operations	1966	8,000 ft ³ /min	N/A
031	031	No. 16 Slaker Scrubber - Control particulate emissions from slaking of lime with green liquor	1966	7,100 ft ³ /min	N/A
036	036	No. 6 Slaker Scrubber - Control particulate emissions from slaking of lime with water	1966	7,400 ft ³ /min	N/A
045	045	No.16 Slaker Feeder Enclosure - Control particulate emissions from discharge of lime kiln to slaker	1966	N/A	N/A

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
046	046	No. 6 Slaker Feeder Enclosure - Control particulate emissions from discharge of lime to slaker	1966	N/A	N/A
047	047	Limestone Unloading Enclosure - Control particulate emissions during unloading of limestone trucks	1966	N/A	N/A
048	048	Pebble Lime Unloading Enclosure – Control particulate matter emissions during unloading of pebble lime trucks	1966	N/A	N/A
2C	2E	Silo Bin Filter Vent Baghouses	2008	1,100 ACFM	N/A
3C	3E	Densi-Filter Baghouses	2008	200 ACFM	N/A

1.2. Active R13, R14, and R19 Permits

The underlying authority for any conditions from R13, R14, and/or R19 permits contained in this operating permit is cited using the original permit number (e.g. R13-1234). The current applicable version of such permit(s) is listed below.

Permit Number	Date of Issuance
R13-0511CA	<u>06/17/2009</u> 09/03/2008

2.0 General Conditions

2.1. Definitions

- 2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.
- 2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.
- 2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45CSR§30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.
- 2.1.4. Unless otherwise specified in a permit condition or underlying rule or regulation, all references to a "rolling yearly total" shall mean the sum of the data, values or parameters being measured, monitored, or recorded, at any given time for the previous twelve (12) consecutive calendar months.

2.2. Acronyms

CAAA	Clean Air Act Amendments	NO_x	Nitrogen Oxides
CBI	Confidential Business Information	NSPS	New Source Performance
CEM	Continuous Emission Monitor		Standards
CES	Certified Emission Statement	PM	Particulate Matter
C.F.R. or CFR	Code of Federal Regulations	PM₁₀	Particulate Matter less than
CO	Carbon Monoxide		10µm in diameter
C.S.R. or CSR	Codes of State Rules	pph	Pounds per Hour
DAQ	Division of Air Quality	ppm	Parts per Million
DEP	Department of Environmental Protection	PSD	Prevention of Significant Deterioration
FOIA	Freedom of Information Act	psi	Pounds per Square Inch
HAP	Hazardous Air Pollutant	SIC	Standard Industrial Classification
HON	Hazardous Organic NESHAP		
HP	Horsepower	SIP	State Implementation Plan
lbs/hr or lb/hr	Pounds per Hour	SO₂	Sulfur Dioxide
LDAR	Leak Detection and Repair	TAP	Toxic Air Pollutant
m	Thousand	TPY	Tons per Year
MACT	Maximum Achievable Control Technology	TRS	Total Reduced Sulfur
		TSP	Total Suspended Particulate
mm	Million	USEPA	United States Environmental Protection Agency
mmBtu/hr	Million British Thermal Units per Hour		
mmft³/hr or mmcf/hr	Million Cubic Feet Burned per Hour	UTM	Universal Transverse Mercator
NA or N/A	Not Applicable	VEE	Visual Emissions Evaluation
NAAQS	National Ambient Air Quality Standards	VOC	Volatile Organic Compounds
NESHAPS	National Emissions Standards for Hazardous Air Pollutants		

2.3. Permit Expiration and Renewal

- 2.3.1. Permit duration. This permit is issued for a fixed term of five (5) years and shall expire on the date specified on the cover of this permit, except as provided in 45CSR§30-6.3.b. and 45CSR§30-6.3.c.
[45CSR§30-5.1.b.]
- 2.3.2. A permit renewal application is timely if it is submitted at least six (6) months prior to the date of permit expiration.
[45CSR§30-4.1.a.3.]
- 2.3.3. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted consistent with 45CSR§30-6.2. and 45CSR§30-4.1.a.3.
[45CSR§30-6.3.b.]
- 2.3.4. If the Secretary fails to take final action to deny or approve a timely and complete permit application before the end of the term of the previous permit, the permit shall not expire until the renewal permit has been issued or denied, and any permit shield granted for the permit shall continue in effect during that time.
[45CSR§30-6.3.c.]

2.4. Permit Actions

- 2.4.1. This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
[45CSR§30-5.1.f.3.]

2.5. Reopening for Cause

- 2.5.1. This permit shall be reopened and revised under any of the following circumstances:
 - a. Additional applicable requirements under the Clean Air Act or the Secretary's legislative rules become applicable to a major source with a remaining permit term of three (3) or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 45CSR§30-6.6.a.1.A. or B.
 - b. Additional requirements (including excess emissions requirements) become applicable to an affected source under Title IV of the Clean Air Act (Acid Deposition Control) or other legislative rules of the Secretary. Upon approval by U.S. EPA, excess emissions offset plans shall be incorporated into the permit.
 - c. The Secretary or U.S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
 - d. The Secretary or U.S. EPA determines that the permit must be revised or revoked and reissued to assure compliance with the applicable requirements.

[45CSR§30-6.6.a.]

2.6. Administrative Permit Amendments

- 2.6.1. The permittee may request an administrative permit amendment as defined in and according to the procedures specified in 45CSR§30-6.4.
[45CSR§30-6.4.]

2.7. Minor Permit Modifications

- 2.7.1. The permittee may request a minor permit modification as defined in and according to the procedures specified in 45CSR§30-6.5.a.
[45CSR§30-6.5.a.]

2.8. Significant Permit Modification

- 2.8.1. The permittee may request a significant permit modification, in accordance with 45CSR§30-6.5.b., for permit modifications that do not qualify for minor permit modifications or as administrative amendments.
[45CSR§30-6.5.b.]

2.9. Emissions Trading

- 2.9.1. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit and that are in accordance with all applicable requirements.
[45CSR§30-5.1.h.]

2.10. Off-Permit Changes

- 2.10.1. Except as provided below, a facility may make any change in its operations or emissions that is not addressed nor prohibited in its permit and which is not considered to be construction nor modification under any rule promulgated by the Secretary without obtaining an amendment or modification of its permit. Such changes shall be subject to the following requirements and restrictions:
- a. The change must meet all applicable requirements and may not violate any existing permit term or condition.
 - b. The permittee must provide a written notice of the change to the Secretary and to U.S. EPA within two (2) business days following the date of the change. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
 - c. The change shall not qualify for the permit shield.
 - d. The permittee shall keep records describing all changes made at the source that result in emissions of regulated air pollutants, but not otherwise regulated under the permit, and the emissions resulting from those changes.
 - e. No permittee may make any change subject to any requirement under Title IV of the Clean Air Act (Acid Deposition Control) pursuant to the provisions of 45CSR§30-5.9.

- f. No permittee may make any changes which would require preconstruction review under any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) pursuant to the provisions of 45CSR§30-5.9.

[45CSR§30-5.9.]

2.11. Operational Flexibility

- 2.11.1. The permittee may make changes within the facility as provided by § 502(b)(10) of the Clean Air Act. Such operational flexibility shall be provided in the permit in conformance with the permit application and applicable requirements. No such changes shall be a modification under any rule or any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) promulgated by the Secretary in accordance with Title I of the Clean Air Act and the change shall not result in a level of emissions exceeding the emissions allowable under the permit.

[45CSR§30-5.8]

- 2.11.2. Before making a change under 45CSR§30-5.8., the permittee shall provide advance written notice to the Secretary and to U.S. EPA, describing the change to be made, the date on which the change will occur, any changes in emissions, and any permit terms and conditions that are affected. The permittee shall thereafter maintain a copy of the notice with the permit, and the Secretary shall place a copy with the permit in the public file. The written notice shall be provided to the Secretary and U.S. EPA at least seven (7) days prior to the date that the change is to be made, except that this period may be shortened or eliminated as necessary for a change that must be implemented more quickly to address unanticipated conditions posing a significant health, safety, or environmental hazard. If less than seven (7) days notice is provided because of a need to respond more quickly to such unanticipated conditions, the permittee shall provide notice to the Secretary and U.S. EPA as soon as possible after learning of the need to make the change.

[45CSR§30-5.8.a.]

- 2.11.3. The permit shield shall not apply to changes made under 45CSR§30-5.8., except those provided for in 45CSR§30-5.8.d. However, the protection of the permit shield will continue to apply to operations and emissions that are not affected by the change, provided that the permittee complies with the terms and conditions of the permit applicable to such operations and emissions. The permit shield may be reinstated for emissions and operations affected by the change:

- a. If subsequent changes cause the facility's operations and emissions to revert to those authorized in the permit and the permittee resumes compliance with the terms and conditions of the permit, or
- b. If the permittee obtains final approval of a significant modification to the permit to incorporate the change in the permit.

[45CSR§30-5.8.c.]

- 2.11.4. "Section 502(b)(10) changes" are changes that contravene an express permit term. Such changes do not include changes that would violate applicable requirements or contravene enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.

[45CSR§30-2.39]

2.12. Reasonably Anticipated Operating Scenarios

2.12.1. The following are terms and conditions for reasonably anticipated operating scenarios identified in this permit.

- a. Contemporaneously with making a change from one operating scenario to another, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating and to document the change in reports submitted pursuant to the terms of this permit and 45CSR30.
- b. The permit shield shall extend to all terms and conditions under each such operating scenario; and
- c. The terms and conditions of each such alternative scenario shall meet all applicable requirements and the requirements of 45CSR30.

[45CSR§30-5.1.i.]

2.13. Duty to Comply

2.13.1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

[45CSR§30-5.1.f.1.]

2.14. Inspection and Entry

2.14.1. The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:

- a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;
- d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

[45CSR§30-5.3.b.]

2.15. Schedule of Compliance

- 2.15.1. For sources subject to a compliance schedule, certified progress reports shall be submitted consistent with the applicable schedule of compliance set forth in this permit and 45CSR§30-4.3.h., but at least every six (6) months, and no greater than once a month, and shall include the following:
- a. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
 - b. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measure adopted.

[45CSR§30-5.3.d.]

2.16. Need to Halt or Reduce Activity not a Defense

- 2.16.1. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

[45CSR§30-5.1.f.2.]

2.17. Emergency

- 2.17.1. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

[45CSR§30-5.7.a.]

- 2.17.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of 45CSR§30-5.7.c. are met.

[45CSR§30-5.7.b.]

- 2.17.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
- b. The permitted facility was at the time being properly operated;
- c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

- d. Subject to the requirements of 45CSR§30-5.1.c.3.C.1, the permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice, report, and variance request fulfills the requirement of 45CSR§30-5.1.c.3.B. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

[45CSR§30-5.7.c.]

- 2.17.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.

[45CSR§30-5.7.d.]

- 2.17.5. This provision is in addition to any emergency or upset provision contained in any applicable requirement.

[45CSR§30-5.7.e.]

2.18. Federally-Enforceable Requirements

- 2.18.1. All terms and conditions in this permit, including any provisions designed to limit a source's potential to emit and excepting those provisions that are specifically designated in the permit as "State-enforceable only", are enforceable by the Secretary, USEPA, and citizens under the Clean Air Act.

[45CSR§30-5.2.a.]

- 2.18.2. Those provisions specifically designated in the permit as "State-enforceable only" shall become "Federally-enforceable" requirements upon SIP approval by the USEPA.

2.19. Duty to Provide Information

- 2.19.1. The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records required to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.

[45CSR§30-5.1.f.5.]

2.20. Duty to Supplement and Correct Information

- 2.20.1. Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

[45CSR§30-4.2.]

2.21. Permit Shield

- 2.21.1. Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance provided that such applicable requirements are included and are specifically

identified in this permit or the Secretary has determined that other requirements specifically identified are not applicable to the source and this permit includes such a determination or a concise summary thereof.

[45CSR§30-5.6.a.]

2.21.2. Nothing in this permit shall alter or affect the following:

- a. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance; or
- b. The applicable requirements of the Code of West Virginia and Title IV of the Clean Air Act (Acid Deposition Control), consistent with § 408 (a) of the Clean Air Act.
- c. The authority of the Administrator of U.S. EPA to require information under § 114 of the Clean Air Act or to issue emergency orders under § 303 of the Clean Air Act.

[45CSR§30-5.6.c.]

2.22. Credible Evidence

2.22.1. Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee including but not limited to any challenge to the credible evidence rule in the context of any future proceeding.

[45CSR§30-5.3.e.3.B. and 45CSR38]

2.23. Severability

2.23.1. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid by a court of competent jurisdiction, the remaining permit terms and conditions or their application to other circumstances shall remain in full force and effect.

[45CSR§30-5.1.e.]

2.24. Property Rights

2.24.1. This permit does not convey any property rights of any sort or any exclusive privilege.

[45CSR§30-5.1.f.4]

2.25. Acid Deposition Control

2.25.1. Emissions shall not exceed any allowances that the source lawfully holds under Title IV of the Clean Air Act (Acid Deposition Control) or rules of the Secretary promulgated thereunder.

- a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid deposition control program, provided that such increases do not require a permit revision under any other applicable requirement.
- b. No limit shall be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.

- c. Any such allowance shall be accounted for according to the procedures established in rules promulgated under Title IV of the Clean Air Act.

[45CSR§30-5.1.d.]

- 2.25.2. Where applicable requirements of the Clean Air Act are more stringent than any applicable requirement of regulations promulgated under Title IV of the Clean Air Act (Acid Deposition Control), both provisions shall be incorporated into the permit and shall be enforceable by the Secretary and U. S. EPA.

[45CSR§30-5.1.a.2.]

3.0 Facility-Wide Requirements

3.1. Limitations and Standards

- 3.1.1. **Open burning.** The open burning of refuse by any person, firm, corporation, association or public agency is prohibited except as noted in 45CSR§6-3.1.
[45CSR§6-3.1.]
- 3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause, suffer, allow or permit any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.
[45CSR§6-3.2.]
- 3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them.
[40 C.F.R. §61.145(b) and 45CSR15]
- 3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.
[45CSR§4-3.1 State-Enforceable only.]
- 3.1.5. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11.
[45CSR§11-5.2]
- 3.1.6. **Emission inventory.** The permittee is responsible for submitting, on an annual basis, an emission inventory in accordance with the submittal requirements of the Division of Air Quality.
[W.Va. Code § 22-5-4(a)(14)]
- 3.1.7. **Ozone-depleting substances.** For those facilities performing maintenance, service, repair or disposal of appliances, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 C.F.R. Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to 40 C.F.R. §§ 82.154 and 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 C.F.R. § 82.158.

- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 C.F.R. § 82.161.

[40 C.F.R. 82, Subpart F]

- 3.1.8. **Risk Management Plan.** Should this stationary source, as defined in 40 C.F.R. § 68.3, become subject to Part 68, then the owner or operator shall submit a risk management plan (RMP) by the date specified in 40 C.F.R. § 68.10 and shall certify compliance with the requirements of Part 68 as part of the annual compliance certification as required by 40 C.F.R. Part 70 or 71.

[40 C.F.R. 68]

- 3.1.9. The permitted facility shall be constructed and operated in accordance with information filed in Permit Application R13-0511, and any amendments thereto. The Director may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to.

[45CSR13, Permit No. R13-0511]

3.2. Monitoring Requirements

N/A

3.3. Testing Requirements

- 3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:
 - a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63, if applicable, in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable.
 - b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit.
 - c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may

have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.

[WV Code § 22-5-4(a)(15) and 45CSR13]

3.4. Recordkeeping Requirements

3.4.1. **Monitoring information.** The permittee shall keep records of monitoring information that include the following:

- a. The date, place as defined in this permit and time of sampling or measurements;
- b. The date(s) analyses were performed;
- c. The company or entity that performed the analyses;
- d. The analytical techniques or methods used;
- e. The results of the analyses; and
- f. The operating conditions existing at the time of sampling or measurement.

[45CSR§30-5.1.c.2.A.]

3.4.2. **Retention of records.** The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of monitoring sample, measurement, report, application, or record creation date. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. Where appropriate, records may be maintained in computerized form in lieu of the above records.

[45CSR§30-5.1.c.2.B.]

3.4.3. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.

[45CSR§30-5.1.c. State-Enforceable only.]

3.5. Reporting Requirements

3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

[45CSR§§30-4.4. and 5.1.c.3.D.]

3.5.2. A permittee may request confidential treatment for the submission of reporting required under 45CSR§30-5.1.c.3. pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.

[45CSR§30-5.1.c.3.E.]

- 3.5.3. All notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, mailed first class or by private carrier with postage prepaid to the address(es) set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

If to the DAQ:

Director
WVDEP
Division of Air Quality
601 57th Street SE
Charleston, WV 25304

Phone: 304/926-0475
FAX: 304/926-0478

If to the US EPA:

Associate Director
Office of Enforcement and Permits Review
(3AP12)
U. S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

- 3.5.4. **Certified emissions statement.** The permittee shall submit a certified emissions statement and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality.
[45CSR§30-8.]
- 3.5.5. **Compliance certification.** The permittee shall certify compliance with the conditions of this permit on the forms provided by the DAQ. In addition to the annual compliance certification, the permittee may be required to submit certifications more frequently under an applicable requirement of this permit. The annual certification shall be submitted to the DAQ and USEPA on or before March 15 of each year, and shall certify compliance for the period ending December 31. The permittee shall maintain a copy of the certification on site for five (5) years from submittal of the certification.
[45CSR§30-5.3.e.]
- 3.5.6. **Semi-annual monitoring reports.** The permittee shall submit reports of any required monitoring on or before September 15 for the reporting period January 1 to June 30 and on or before March 15 for the reporting period July 1 to December 31. All instances of deviation from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with 45CSR§30-4.4.
[45CSR§30-5.1.c.3.A.]
- 3.5.7. **Emergencies.** For reporting emergency situations, refer to Section 2.17 of this permit.
- 3.5.8. **Deviations.**
- a. In addition to monitoring reports required by this permit, the permittee shall promptly submit supplemental reports and notices in accordance with the following:
 1. Any deviation resulting from an emergency or upset condition, as defined in 45CSR§30-5.7., shall be reported by telephone or telefax within one (1) working day of the date on which the permittee becomes aware of the deviation, if the permittee desires to assert the affirmative defense in accordance

with 45CSR§30-5.7. A written report of such deviation, which shall include the probable cause of such deviations, and any corrective actions or preventative measures taken, shall be submitted and certified by a responsible official within ten (10) days of the deviation.

2. Any deviation that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to the Secretary immediately by telephone or telefax. A written report of such deviation, which shall include the probable cause of such deviation, and any corrective actions or preventative measures taken, shall be submitted by the responsible official within ten (10) days of the deviation.
3. Deviations for which more frequent reporting is required under this permit shall be reported on the more frequent basis.
4. All reports of deviations shall identify the probable cause of the deviation and any corrective actions or preventative measures taken.

[45CSR§30-5.1.c.3.C.]

- b. The permittee shall, in the reporting of deviations from permit requirements, including those attributable to upset conditions as defined in this permit, report the probable cause of such deviations and any corrective actions or preventive measures taken in accordance with any rules of the Secretary.

[45CSR§30-5.1.c.3.B.]

- 3.5.9. **New applicable requirements.** If any applicable requirement is promulgated during the term of this permit, the permittee will meet such requirements on a timely basis, or in accordance with a more detailed schedule if required by the applicable requirement.

[45CSR§30-4.3.h.1.B.]

3.6. Compliance Plan

N/A

3.7. Permit Shield

- 3.7.1. The permittee is hereby granted a permit shield in accordance with 45CSR§30-5.6. The permit shield applies provided the permittee operates in accordance with the information contained within this permit.
- 3.7.2. The following requirements specifically identified are not applicable to the source based on the determinations set forth below. The permit shield shall apply to the following requirements provided the conditions of the determinations are met.

N/A

4.0 Source-Specific Requirements [Lime Kiln and Woodyard Operations]

4.1. Limitations and Standards

- 4.1.1. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any process source operation which is greater than twenty (20) percent opacity, except as noted in Condition 4.1.2.

[45CSR§7-3.1 (Facility wide except 008, 010, 011, 012, 050, 051, 055)]

- 4.1.2. The provisions of Condition 4.1.1 shall not apply to smoke and/or particulate matter emitted from any process source operation which is less than forty (40) percent opacity for any period or periods aggregating no more than five (5) minutes in any sixty (60) minute period.

[45CSR§7-3.2 (Facility wide except 008, 010, 011, 012, 050, 051, 055)]

- 4.1.3. No person shall cause, suffer, allow or permit visible emissions from any storage structure(s) associated with any manufacturing process(es) that pursuant to Condition 4.1.8 is required to have a full enclosure and be equipped with a particulate matter control device.

[45CSR§7-3.7 (010, 011, 012)]

- 4.1.4. Emissions from Emission Point 001 (the scrubber controlling the lime kiln) shall not exceed the following when said kiln is firing natural gas:

	NO _x		SO ₂		CO		TSP		PM ₁₀		VOCs	
	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy
Scrubber 001	27.33	119.7	0.10	0.43	2.93	12.82	31.58	138.3	31.58	138.3	0.75	3.26

[Compliance with this streamlined PM limit assures compliance with 45CSR§7-4.1. 45CSR13, Permit R13-0511 (Condition 4.1.1) (001)]

- 4.1.5. Emissions from Emission Point 001 (the scrubber controlling the lime kiln) shall not exceed the following when said kiln is firing No. 2 fuel oil:

	NO _x		SO ₂		CO		TSP		PM ₁₀		VOCs	
	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy
Scrubber 001	19.08	83.6	0.05	0.21	0.97	4.25	31.58	138.3	31.58	138.3	0.10	0.43

[Compliance with this streamlined PM limit assures compliance with 45CSR§7-4.1. 45CSR13, Permit R13-0511 (Condition 4.1.2) (001)]

- 4.1.6. No person shall cause, suffer, allow or permit particulate matter to be vented into the open air from any type source operation in excess of the quantity specified under the appropriate source operation type in Table 45CSR7A of 45CSR7. Limits for affected emission points are given below.

<u>Limit</u>	<u>Emission Points</u>
50 lbs/hr-	013, 015, 018, 022, 023
18.4 lbs/hr-	026
6.83 lbs/hr-	031, 036

[45CSR§7-4.1 (013, 015, 018, 022, 023, 026, 031, 036)]

- 4.1.7. No person shall circumvent the provisions of 45CSR7 by adding additional gas to any exhaust or group of exhausts for the purpose or reducing the stack gas concentration.
[45CSR§7-4.3 (001)]
- 4.1.8. No person shall cause, suffer, allow or permit any manufacturing process or storage structure generating fugitive particulate matter to operate that is not equipped with a system, which may include, but not be limited to, process equipment design, control equipment design or operation and maintenance procedures, to minimize the emissions of fugitive particulate matter. To minimize means such system shall be installed, maintained and operated to ensure the lowest fugitive particulate matter emissions reasonably achievable.
[45CSR§7-5.1]
- 4.1.9. The owner or operator of a plant shall maintain particulate matter control of the plant premises, and plant owned, leased or controlled access roads, by paving, application of asphalt, chemical dust suppressants or other suitable dust control measures. Good operating practices shall be implemented and when necessary particulate matter suppressants shall be applied in relation to stockpiling and general material handling to minimize particulate matter generation and atmospheric entrainment.
[45CSR§7-5.2 (008, 050, 055)]
- 4.1.10. No person shall cause, suffer, allow or permit any source of fugitive particulate matter to operate that is not equipped with a fugitive particulate matter control system. This system shall be operated and maintained in such a manner as to minimize the emission of fugitive particulate matter.
[45CSR§2-5.1 (051)]
- 4.1.11. The concentration of particulate matter in the lime kiln exhaust gases discharged to the atmosphere must be less than or equal to 0.064 gr/dscf corrected to 10% oxygen.
[45CSR13, Permit R13-0511 (Condition 4.1.5), 45CSR34, 40CFR§63.862(a)(i)(C) (001)]
- 4.1.12. Raw material usage in the Lime Kiln shall not exceed 1,237 tons per day of lime mud (composed of calcium carbonate (CaCO₃) in a wet cake of about 70% solids).
[45CSR13, Permit Application R13-0511, amended by information provide by PD97-122, additional information provided by letter on July 1, 2002. (001)]
- 4.1.13. The Permittee is required to take corrective action when any 3-hour average parameter value is less than the operating range for the wet scrubber of the lime kiln given below:
(1) Pressure Drop – 25.0 inches H₂O
(2) Scrubbing liquid flow rate – 700 gallons per minute
[45CSR13, Permit R13-0511 (Condition 4.1.6), 45CSR34, 40CFR§63.864(k)(1)(ii) (001)]
- 4.1.14. The Permittee is in violation of the emission limit of Condition 4.1.11 if the monitoring exceedances given below occur:
When six or more 3-hour average parameter values within any 6-month reporting period are less than the range of values listed in Condition 4.1.13.
[45CSR34, 40CFR§63.864(k)(2)(iii) (001)]

- 4.1.15. Emissions from Emission Point 001 (the scrubber controlling the lime kiln) shall not exceed the following when said kiln is firing recycled oil:

	NO _x		SO ₂		CO		TSP		PM ₁₀		VOCs	
	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy
Scrubber 001	19.08	83.6	0.1	0.4	0.97	4.25	31.58	138.3	31.58	138.3	0.10	0.43

[Compliance with this streamlined PM limit assures compliance with 45CSR§7-4.1. 45CSR13, Permit R13-0511 (Condition 4.1.3) (001)]

- 4.1.16. Emissions from the following emission points shall not exceed the following when said kiln is firing petroleum coke:

	NO _x		SO ₂		CO		TSP		PM ₁₀		VOCs	
	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy
Scrubber 001	35.53	155.6	<u>1.6</u> 0.97	<u>7.02</u> 4.25	4.22	18.49	31.58	138.3	31.58	138.3	0.75	3.26
Silo Vent 2E	0	0	0	0	0	0	0.08	0.02	0.04	0.01	0	0
Densi Filter 3E	0	0	0	0	0	0	0.02	0.01	0.01	0.01	0	0
UPHR 4E	0	0	0	0	0	0	---	6.68	---	1.99	0	0
Total	35.5	156	<u>1.6</u> 0.97	<u>7.02</u> 4.25	4.22	18.5	31.7	145	31.6	140	0.75	3.26

[Compliance with this streamlined PM limit assures compliance with 45CSR§7-4.1 for Scrubber 001. 45CSR13, Permit R13-0511 (Condition 4.1.4) (001, 2E, 3E, 4E)]

- 4.1.17. Production of CaO shall not exceed 388.08 tons per day.
[45CSR13, Permit R13-0511 (Condition 4.1.7)]
- 4.1.18. Maximum sulfur content of the petcoke shall not exceed 10% ~~6%~~.
[45CSR13, Permit R13-0511 (Condition 4.1.8)]
- 4.1.19. The maximum amount of petcoke fired in the kiln shall not exceed 23,389 tons per year based on a rolling 12 month total basis.
[45CSR13, Permit R13-0511 (Condition 4.1.9)]
- 4.1.20. Sulfur Dioxide (SO₂) emissions from Emission Point 001 (the scrubber controlling the lime kiln) shall not exceed 2,000 parts per million by volume.
[45CSR§10-4.1. (001)]
- 4.1.21. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate the Kiln Venturi Scrubber 001, Silo Bin Filter Vent Baghouses 2C, and Densi-Filter Baghouses 3C, and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.
[45CSR13, Permit R13-0511 (Condition 4.1.10) (001, 2C, 3C)]

4.2. Monitoring Requirements

- 4.2.1. The permittee shall monitor all particulate capture or suppression systems to ensure that the systems are operated and maintained in conformance with the manufacturer's design specifications. Records shall be maintained on site stating the types of particulate capture and suppression systems used, the times these systems were inoperable and the corrective actions taken.

[45CSR§30-5.1.c]

- 4.2.2. At least weekly (except for the Chipper Cyclone 018 and Screening Fabric Filter 023 which shall be done daily), visual emission checks of each emission point subject to an opacity limit shall be conducted. For units emitting directly into the open air from points other than a stack outlet, visible emissions are to include visible fugitive dust emissions that leave the plant site boundaries.

- a. For these units (except the Lime Kiln 001) these checks shall be conducted during periods of normal facility operation for a sufficient time interval to determine if the unit has visible emissions using procedures outlined in 40 CFR 60, Appendix A, Method 22. If sources of visible emissions are identified during the survey, or at any other time, the permittee shall conduct an evaluation as outlined in 45CSR§§7A-2.1.a, b within twenty-four (24) hours. A 45CSR§§7A-2.1.a, b evaluation shall not be required if the visible emission condition is corrected in a timely manner and the units are operated at normal operating conditions. A record of each visible emission check required above shall be maintained on site. Said record shall include the date, time, name of emission unit, the applicable visible emissions requirement, the results of the check, what action(s), if any, was/were taken, and the name of the observer.

- b. For the Lime Kiln, these checks shall be conducted during periods of normal facility operation for a sufficient time interval to determine the visible emission levels using procedures outlined in 45CSR§§7A-2.1.a, b. A record of each visible emission check required above shall be maintained on site. Said record shall include, but not be limited to, the date, time, name of emission unit, the applicable visible emissions requirement, the results of the check, what action(s) was/were taken, and the name of the observer.

[45CSR§§7A-2.1.a.,b., 45CSR§30-5.1.c]

- 4.2.3. The permittee must calibrate, maintain, and operate a Continuous parameter monitoring system (CPMS) that can be used to determine and record the pressure drop across the scrubber and the scrubbing liquid flow rate at least once every successive 15-minute period using the procedures in 40CFR§63.8(c), as well as the procedures in paragraphs (i) and (ii) of this paragraph:

- (i) The monitoring device used for the continuous measurement of the pressure drop of the gas stream across the scrubber must be certified by the manufacturer to be accurate to within a gage pressure of ± 500 pascals (± 2 inches of water gage pressure); and
- (ii) The monitoring device used for continuous measurement of the scrubbing liquid flow rate must be certified by the manufacturer to be accurate within ± 5 percent of the design scrubbing liquid flow rate.

[45CSR13, Permit R13-0511 (Condition 4.3.7), 45CSR34, 40CFR§63.864(e)(10)]

4.3. Testing Requirements

- 4.3.1. Within 180 days of the first use of pet coke as a fuel for the lime kiln, the permittee shall perform compliance stack testing in order to determine compliance with the emission limits contained in Condition 4.1.16.

[45CSR13, Permit R13-0511 (Condition 4.2.1)]

4.4. Recordkeeping Requirements

- 4.4.1. The permittee shall maintain records indicating the use of any dust suppressants or other suitable dust control measures applied at the facility. These records shall be maintained on site.

[45CSR§30-5.1.c]

- 4.4.2. Compliance with the SO₂, CO, NO_x, VOC, and H₂S limits as required by Condition 4.1.4 shall be demonstrated by showing proper operation and maintenance of the lime kiln and lime kiln scrubber as follows:

A. Proper operation:

- i. The permittee shall operate the lime kiln during calcination operation at a minimum of 1600 degrees F. and a maximum of 2600 degrees F.
- ii. The permittee shall maintain the liquor flow rate through the lime kiln scrubber during calcination at a minimum of 700 GPM and a maximum of 1300 GPM.
- iii. The permittee shall maintain the pressure drop across the lime kiln during calcination operation to within 18 inches and 34 inches water column.
- iv. The permittee shall maintain the oxygen content within the lime kiln during calcination between 0.2% and 5%.

The permittee shall record the following at a minimum of every one hour while the lime kiln is in operation: oxygen content, temperature of the kiln, and the pressure drop across the scrubber. Compliance with these limits shall be shown by maintaining rolling three hour averages of these parameters and operating the kiln within these specified parameters. The permittee shall maintain records of fuel usage.

B. Proper Maintenance:

- i. The permittee shall perform daily visual inspections of the lime kiln and take corrective action when necessary.

The permittee shall maintain records of the daily visual inspections of the lime kiln, as well as maintenance performed on the lime kiln.

The above records shall be maintained on site and shall be made available to the Secretary or his duly authorized representative upon request.

[45CSR§30-12.7]

- 4.4.3. The owner or operator of manufacturing process source(s) shall maintain on-site a record of all required monitoring data as established in a monitoring plan pursuant to 45CSR§10-8.2.c. The monitoring plan is given in Appendix A of this Permit.

[45CSR§10-8.3.a]

- 4.4.4. Compliance with the Sulfur Dioxide limits as required by Condition 4.1.4 and 4.1.5 and the recordkeeping and reporting requirements of Conditions 4.4.3 and 4.5.1 shall be demonstrated as outlined in the 45CSR10 Monitoring Plan as attached in Appendix A. The SO₂ concentrations included in the quarterly summary reports as required by the 45CSR10 Monitoring Plan shall be calculated by using the following equations.

- i. The amount of SO₂ emissions per hour are to be calculated and recorded based on the following equation.

$$\text{lbs SO}_2/\text{hr} = 0.006 \text{ lb SO}_2 / \text{ton CaO} * \text{Ave. ton / hour CaO}$$

- ii. Calculate and record SO₂ emissions in part per million volume based on the following equation.

$$\text{SO}_2 \text{ ppmv} = (\text{SO}_2 \text{ lb/hr})/0.224$$

[45CSR§10-8.3]

- 4.4.5. Compliance with the raw material usage limit of Lime Mud as required by Condition 4.1.12 shall be demonstrated by recording at a minimum of once an hour the calculated feed rate of the Lime Mud (composed of calcium carbonate (CaCO₃) in a wet cake of about 70% solids). Compliance with these limits shall be shown by maintaining rolling three hour averages of the feed rate. Such records shall be maintained on site and shall be made available to the Secretary of his duly authorized representative upon request.

[45CSR§30-5.1.c]

- 4.4.6. The permittee shall maintain records of the usage rates (lbs/hr) of wood and lime processed on a monthly, and 12-month rolling total bases. Such records shall be maintained on site and shall be made available to the Secretary or his duly authorized representative upon request.

[45CSR§30-5.1.c]

- 4.4.7. *Startup, shutdown, and malfunction plan.* The owner or operator must develop a written plan as described in 40CFR§63.6(e)(3) that contains specific procedures for operating the source and maintaining the source during periods of startup, shutdown, and malfunction, and a program of corrective action for malfunctioning process and control systems used to comply with the standards. In addition to the information required in 40CFR§63.6(e), the plan must include the requirements in paragraphs (1) and (2) of this section.

- (1) Procedures for responding to any process parameter level that is inconsistent with the level(s) listed in Condition 4.1.13, including the procedures in paragraphs (1)(i) and (ii) of this section:

- (i) Procedures to determine and record the cause of an operating parameter exceedance and the time the exceedance began and ended; and
- (ii) Corrective actions to be taken in the event of an operating parameter exceedance, including procedures for recording the actions taken to correct the exceedance.

- (2) The startup, shutdown, and malfunction plan also must include the schedules listed in paragraphs (2)(i) and (ii) of this section:

- (i) A maintenance schedule for each control technique that is consistent with, but not limited to, the manufacturer's instructions and recommendations for routine and long-term maintenance; and
- (ii) An inspection schedule for each continuous monitoring system required under Condition 4.2.3 to ensure, at least once in each 24-hour period, that each continuous monitoring system is properly functioning.

[45CSR34, 40CFR§63.866(a)]

- 4.4.8. The owner or operator of an affected source or process unit must maintain records of any occurrence when corrective action is required under Condition 4.1.13, and when a violation is noted under Condition 4.1.14.

[45CSR34, 40CFR§63.866(b)]

- 4.4.9. The Permittee must keep records of CaO production rates in tons per day for the lime kiln.
[45CSR34, 40CFR§63.866(c)(2)]
- 4.4.10. In order to determine compliance with the production limit of Condition 4.1.17, the permittee shall maintain records of the amount of CaO produced each day.
[45CSR13, Permit R13-0511 (Condition 4.3.4)]
- 4.4.11. In order to determine compliance with the sulfur content limit of Condition 4.1.18, the permittee shall obtain a vendor guarantee ensuring that the sulfur content of the pet coke is less than or equal to 10% ~~6%~~. Alternatively, if such a guarantee is unavailable, the permittee shall test random samples of pet coke for sulfur content at least once each month that pet coke is received on site.
[45CSR13, Permit R13-0511 (Condition 4.3.5)]
- 4.4.12. In order to determine compliance with the fuel use limit of Condition 4.1.19, the permittee shall maintain records of the amount of pet coke used as fuel on a monthly basis.
[45CSR13, Permit R13-0511 (Condition 4.3.6)]
- 4.4.13. **Record of Maintenance of Air Pollution Control Equipment.** For the Kiln Venturi Scrubber 001, Silo Bin Filter Vent Baghouses 2C, and Densi-Filter Baghouses 3C, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.
[45CSR13, Permit R13-0511 (Condition 4.3.2) (001, 2C, and 3C)]
- 4.4.14. **Record of Malfunctions of Air Pollution Control Equipment.** For the Kiln Venturi Scrubber 001, Silo Bin Filter Vent Baghouses 2C, and Densi-Filter Baghouses 3C, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:
- a. The equipment involved.
 - b. Steps taken to minimize emissions during the event.
 - c. The duration of the event.
 - d. The estimated increase in emissions during the event.
- For each such case associated with an equipment malfunction, the additional information shall also be recorded:
- e. The cause of the malfunction.
 - f. Steps taken to correct the malfunction.
 - g. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.
- [45CSR13, Permit R13-0511 (Condition 4.3.3) (001, 2C, and 3C)]**

4.5. Reporting Requirements

- 4.5.1. The owner or operator shall submit a periodic exception report to the Director, in a manner specified by the Director. Such an exception report shall provide details of all excursions outside the range of measured emissions or monitored parameters established in an approved monitoring plan and shall include, but not limited to, the time of the excursion, the magnitude of the excursion, the duration of the excursion, the cause of the excursion and the corrective action taken.

[45CSR§10-8.3.b]

- 4.5.2. The permittee must notify the Administrator before any of the following actions of this Condition are taken:
- (i) The wet scrubber for the lime kiln is modified or replaced
 - (ii) The lime kiln is shut down for more than 60 consecutive days; or
 - (iii) A continuous monitoring parameter or the value or range of values of a continuous monitoring parameter for the lime kiln given in Condition 4.1.13 is changed.

[45CSR13, Permit R13-0511 (Condition 4.4.1), 45CSR34, 40CFR§63.867(b)(3)]

- 4.5.3. The Permittee must report quarterly if the wet scrubber operates at or below the ranges given in Condition 4.1.13, and/or if the number of exceedances meet or exceed the number listed in Condition 4.1.14. This report must contain the information specified in 40CFR§63.10(c), as well as the duration of occurrences when the operating conditions dropped below the ranges listed in Condition 4.1.13, and the number and duration of occurrences when the Permittee met or exceeded the conditions listed in Condition 4.1.14. Reporting excess emissions below the violation thresholds of 40CFR§63.864(k) does not constitute a violation of the applicable standard.

[45CSR13, Permit R13-0511 (Condition 4.4.2), 45CSR34, 40CFR§63.867(c)]

- 4.5.4. When no exceedances of parameters specified in Conditions 4.1.13 and 4.1.14 have occurred, the Permittee must submit a semiannual report stating that no excess emissions occurred during the reporting period.

[45CSR13, Permit R13-0511 (Condition 4.4.3), 45CSR34, 40CFR§63.867(c)(1)]

4.6. Compliance Plan

N/A

APPENDIX A

45 CSR 10 Monitoring Plan

Revision 1: August 22, 2001

Revision 2: April, 28, 2009

NewPage Corporation
Luke Paper Company
Source: Lime Kiln
TV Point Source ID: 001

Testing: We are hereby petitioning the Director to continue the exemption granted for the lime kiln source from the testing requirements in 5.2.a. (WV DAQ Letter dated August 30, 2001). Since the date of that exemption, we have received a Series 13 Permit (R13-0511A issued on September 4, 2008) which allows the burning of petcoke for fuel, in addition to fuel oils and natural gas, in our lime kiln unit. The lime kiln process is a natural scrubber for SO₂ (CaO dust interaction), and has a venture wet scrubber. The high removal rate for SO₂ follows the example given in 5.2.b for manufacturing sources exempted when employing flares. When burning petcoke at a maximum rate, we estimate maximum emissions to be 7 t/yr controlled, 1400 t/yr potential (uncontrolled).

Monitoring: Fuel type, usage, and calcium carbonate processing rates for the lime kiln will be tracked on a monthly basis. Emission factors will be applied to these processing rates to determine compliance. The emission factors for fuel oil and petcoke were calculated using the maximum permitted sulfur concentration in each fuel. The resulting emissions calculations will be compared to the limit for compliance determination.

Recordkeeping and Reporting: Records of fuel type, usage, and calcium carbonate processing rates will be maintained on site for a minimum of five years. Unless instructed otherwise, quarterly "Monitoring Summary Reports" containing this information will be submitted to the department within 30 days of the end of each calendar quarter, beginning at the end of the third quarter 2001. An "Excursion and Monitoring Plan Performance Report" will also be submitted once per quarter. This plan will include the following items:

The magnitude and the date and time, including starting and ending times.

Specific identification of each excursion that occurs during start-ups, shutdowns, and malfunctions of the facility.

The nature and cause of any excursion (if known), the corrective action taken, and preventative measures adopted (if any).

The date and time identifying each period when data (processing or fuel usage rates) is unavailable, the reason for data unavailability, and the corrective action.

When no excursions have occurred or there were no periods of data unavailability, such information shall be stated in the report.

Revision 1: August 22, 2001

Westvaco Corporation
Fine Papers Division, Luke, Maryland
Source: Lime Kiln
AFS Point ID: 001 ————— Part 70 AIR4 Emission Unit ID Number: 003-02

Testing: We are hereby petitioning the Director to exempt the lime kiln source from the testing requirements in 5.2.a. The lime kiln emissions, based on industry emission factors, are actual 2000 780 lbs/yr, potential 1430 lbs/yr. The exemption cutoff is 500 lbs/yr. The lime kiln burns natural gas as a primary fuel and is permitted to burn No. 2 fuel oil as backup fuel. The lime kiln also operates a wet, venturi scrubber to control particulate emissions. The lime kiln and scrubber are operated under the conditions of a regulation 13 permit. Since burning natural gas produces little SO₂ and the wet scrubber is very effective at removing SO₂, the emissions from the kiln are effectively controlled. These circumstances are very similar to the testing exemption allowed under 5.2.b for the manufacturing sources employing flares.

If the petition is denied then we will test the lime kiln stack using Method 6 as described in 40 CFR 60, Appendix A. The testing will take place before March 15, 2002.

Monitoring: Natural gas usage and calcium carbonate processing rates at the lime kiln will be tracked on a monthly basis. Emissions factors will be applied to these processing rates to determine compliance. The kiln is permitted to burn No. 2 fuel oil as a backup fuel. This fuel has not been used for over 15 years. In the event that No. 2 fuel oil is burned, our Purchasing Department has established minimum purchasing requirements for the sulfur content of the oil. The maximum sulfur percentage is 0.2 percent in any No. 2 oil purchased for use in the lime kiln. The amount of fuel used would be tracked.

Recordkeeping and Reporting: Records of natural gas or oil usage and calcium carbonate processing rates will be maintained on site for a minimum of five years. Unless instructed otherwise, quarterly "Monitoring Summary Reports" containing this information will be submitted to the department within 30 days of the end of each calendar quarter beginning at the end of the third quarter 2001. An "Excursion and Monitoring Plan Performance Report" will also be submitted once per quarter. This plan will include the following items:

The magnitude of each excursion and the date and time, including starting and ending times.

Specific identification of each excursion that occurs during start ups, shutdowns, and malfunctions of the facility.

The nature and cause of any excursion (if known), the corrective action taken, and preventive measures adopted (if any).

The date and time identifying each period when data (processing or fuel usage rates) is unavailable, the reason for data unavailability, and the corrective action.

When no excursion have occurred or there were no periods of data unavailability, such information shall be stated in the report.